

Amendment and Response

Applicant: Craig R. White

Serial No.: 09/781,654

Filed: February 12, 2001

Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

REMARKS

The following remarks are made in response to the Office Action mailed May 6, 2005. Claims 20-22 and 29-34 have been withdrawn from consideration. Claims 4, 7 - 9, 16-22 and 27-34 have been cancelled. Claims 1-19, 23-28, and 35 were rejected. Claims 7, 9, 14, 23, and 26 have been objected to. With this Response, claims 1-3, 5-6, 10-16, 23, 25-26, and 35 have been amended. Claims 1-3, 5-6, 10-15, 23-26, and 35 remain pending in the application and are presented for reconsideration and allowance.

Claim Objections

Both claims 7 and 9 have been canceled without prejudice, thereby obviating the objection to those claims.

In the Office Action, claim 26 was objected to regarding "services available to the user interface". Amended claim 26 specifies that the network portal displays only service providers from the dynamic service provider database that match a predetermined set of services made available to the user interface wherein the predetermined set of services are determined based on a fee-for-service contractual arrangement between the user interface and the network portal.

In the Office Action, claims 14, 23, and 26 were objected to regarding "Internet portal". Amended claims 14, 23, and 26 now specify "network portal" in place of "Internet portal".

Applicant believes that these changes obviate the objections, and withdrawal of the objections are respectfully requested. Applicant thanks the Examiner for the careful attention to the claims.

Claim Rejections under 35 U.S.C. § 112

In the Office Action, claims 4, 27, and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Claims 4, 27 and 28 have been canceled without prejudice. Accordingly, Applicant respectfully requests that the above rejection of claims 4, 27 and 28 under 35 U.S.C. § 112 be withdrawn.

Amendment and Response

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Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

Claim Rejections under 35 U.S.C. § 101

In the Office Action, claims 27 and 28 were rejected under 35 U.S.C. 101 for the claimed invention being directed to non-statutory subject matter.

Claims 27 and 28 are canceled without prejudice, thereby obviating the rejection.

Claim Rejections under 35 U.S.C. § 102

In the Office Action, claims 1-4, 8, 15-24, 27, 28 and 35 were rejected under 35 U.S.C. 102(b) as being anticipated by Triggs GB 2329488 A (Triggs).

Applicant's amended independent claim 1 specifies a method for providing a network portal.

Triggs discloses a remote database containing a plurality of subject headings and a plurality of provider computers that arrange for storage of their address (to an information source) in the remote database under one of the subject headings. A user computer can access the remote database and select an address of an information source under one of the subject headings in the remote database. See Triggs at Column 1, lines 25-37, Column 2, lines 15.

However, Triggs does not disclose operating a network portal interface including, among other things, initiating construction of the network portal interface upon each instance that at least one user interface device requests to access the network portal interface, as claimed by Applicant in amended independent claim 1. Instead, Triggs discloses provider computers (with servers), user computers, and a remote database. However, Triggs does not disclose a network portal interface, in addition to a dynamic service provider database and at least one user interface device, wherein the at least one user interface device accesses the network portal interface, which stands between the at least one user interface device and the dynamic service provider database. Therefore, Triggs is also silent about reconstructing the network portal interface upon each instance that the at least one user interface device accesses the network portal interface.

Consequently, Triggs does not disclose the aspects of Applicant's claimed method of claim 1 in which the network portal (and/or network portal interface) actively interacts with the dynamic service provider database, in the interest of the network portal and/or on behalf of a user. In one aspect claimed by Applicant, the network portal accesses a dynamic service

Amendment and Response

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

provider database that includes a listing of a plurality of first service providers that have self-selected their inclusion, independent from control by the network portal, into the dynamic service provider database, and then displaying at least one first keyword-service link on the network portal interface in association with the listing of the plurality of first service providers from the dynamic service provider database. In contrast, Triggs discloses that its computer network displays subject headings in association with provider computers in remote database 13 but does not disclose a separate network portal interface that includes its own display of type-of-service keywords.

In another aspect claimed by Applicant, the network portal accesses a fixed service provider database that includes a listing of a plurality of first service providers for which the network portal has selected their inclusion into the fixed service provider database, and then displays at least one second keyword-service link on the network portal interface in association with the listing of the plurality of second service providers from the fixed service provider database. Triggs discloses that its computer network displays subject headings in association with provider computers in remote database 13, but does not disclose a network portal interface (distinct from remote database 13) that displays keyword-service links in association with a fixed service provider database.

Consequently, Triggs fails to disclose, a reconstructed network portal interface in which the first keyword-service links associated with the dynamic service provider database and the second keyword-service links associated with the fixed service provider database are both displayed on the network portal interface, as claimed by Applicant.

For these reasons, Triggs fails to teach or suggest Applicant's independent claim 1. Accordingly, Applicant believes that claim 1 is patentable over Triggs. Claims 2-3 and 5-7 are also believed to be patentable over Triggs based on their dependency from patentably distinct independent claim 1.

For substantially the same reasons as presented for patentability of claim 1, Triggs fails to disclose Applicant's amended independent claim 35 which is directed to a computer readable medium having computer-executable instructions for performing a method of constructing a

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

network portal -- the method including substantially the same limitations as claim 1. For these reasons, Triggs fails to teach or suggest amended independent claim 35, and therefore Applicant's amended independent claim 35 is patentable and allowable over Triggs.

Applicant's amended independent claim 15 specifies a method for a service provider to offer services to a user interface device through a type-of-service keyword link on a network portal interface.

Triggs discloses a remote database containing a plurality of subject headings and a plurality of provider computers that arrange for storage of their address (to an information source) in the remote database under one of the subject headings. A user computer can access the remote database and select an address of an information source under one of the subject headings in the remote database. See Triggs at Column 1, lines 25-37, Column 2, lines 15.

However, Triggs does not disclose advertising a service document for inclusion into a database of service providers to be accessed by the network portal interface, the database being separate from the network portal and independent from the network portal interface and each service provider self-selecting their inclusion into the database, as claimed by Applicant in amended independent claim 15. Instead, Triggs discloses provider computers (with servers), user computers, and a remote database. However, Triggs does not disclose a network portal interface, in addition to a database of service providers and a user interface device, wherein a user interface device accesses the network portal interface, which stands between the user interface device and the dynamic service provider database. Moreover, Triggs does not disclose a separate network portal interface including its own display of type-of-service keywords, as claimed by Applicant.

In another aspect of amended independent claim 15, the service provider receives a service request from the user interface device upon activation of the type-of-service keyword link on the network portal interface, and provides the requested services from the service provider to the user interface device via the type-of-service keyword link of the network portal interface. With only provider computer, user computers, and remote database 13, and no

Amendment and Response

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

network portal interface as claimed by Applicant, Triggs also fails to disclose these aspects of Applicant's claimed method.

For these reasons, Triggs fails to teach or suggest Applicant's independent claim 15. Accordingly, Applicant believes that claim 15 is patentable over Triggs.

Applicant's amended independent claim 23 specifies a method for providing a network portal.

Triggs discloses a remote database containing a plurality of subject headings and a plurality of provider computers that arrange for storage of their address (to an information source) in the remote database under one of the subject headings. A user computer can access the remote database and select an address of an information source under one of the subject headings in the remote database. See Triggs at Column 1, lines 25-37, Column 2, lines 15.

However, Triggs does not disclose a system including a network portal interface that comprises, among other things, a controller configured to direct construction of the network portal interface upon each instance of access to the network portal interface by the at least one user interface device, as claimed by Applicant in amended independent claim 23. In one aspect, the construction includes renewing the first link to the at least one service provider from an updated second listing of first service providers in the first service provider database.

Triggs discloses provider computers (with servers), user computers, and a remote database. However, Triggs does not disclose a network portal interface, in addition to a first service provider database and a user interface device, wherein a user interface device accesses the network portal interface, which stands between the user interface device and the first service provider database. Therefore, Triggs is also silent about constructing the network portal interface upon each instance that the at least one user interface device accesses the network portal interface.

Consequently, Triggs does not disclose the aspects of Applicant's claimed method of claim 23 in which the network portal (and/or network portal interface) interacts with the first service provider database, in their own interest and/or on behalf of a user. In one aspect claimed by Applicant, the network portal displays a first link on the network portal interface to the at

Amendment and Response

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

least one service provider. Triggs discloses providing subject headings in remote database 13 for association with the provider computers but does not disclose a separate network portal interface including its own display of a first link to first service providers of a first service provider database, as claimed by Applicant.

In another aspect of amended independent claim 23, the first service providers of the first service provider database have self-selected their inclusion into the first service provider database, where the first service provider database is independent from the network portal interface device and the first link is displayed on the network portal interface. In contrast, Triggs discloses that its computer network displays subject headings in association with provider computers in remote database 13 but does not disclose a separate network portal interface that includes its own first link to the type of first service provider database specified by Applicant.

For these reasons, Triggs fails to teach or suggest Applicant's independent claim 23. Accordingly, Applicant believes that claim 23 is patentable over Triggs.

Applicant believes that independent claims 1, 15, 23 and 35 are patentable and allowable over Matsui and/or Smart, and therefore, respectfully requests that the above rejection of independent claims 1, 15, 23, and 35 and all claims depending therefrom, under 35 U.S.C. § 102 be withdrawn.

Claim Rejections under 35 U.S.C. § 103

In the Office Action, claims 5, 6, 9-12, 25, 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Triggs in view of Newman U.S. Publication No. 2002/0060176 (Newman).

Claims 5-6 depend from independent claim 1 and are believed to be allowable based on their dependency from amended independent claim 1, which is believed to be allowable for the reasons previously presented in favor of the patentability of claim 1 over Triggs. In addition, Newman fails to cure the deficiencies of Triggs regarding amended independent claim 1 as Newman is directed to accumulating and collecting fees related to retrieval of content data, goods, or services rather than a dynamic network portal system a method of constructing a

Amendment and Response

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Serial No.: 09/781,654

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

network portal, as claimed by Applicant. Accordingly, one cannot combine Triggs and Newman to arrive at Applicant's claims 5-6.

Claim 9 has been canceled.

Applicant's amended independent claim 10 specifies a method for providing a network portal.

Triggs discloses a remote database containing a plurality of subject headings and a plurality of provider computers that arrange for storage of their address (to an information source) in the remote database under one of the subject headings. A user computer can access the remote database and select an address of an information source under one of the subject headings in the remote database. See Triggs at Column 1, lines 25-37, Column 2, lines 15.

However, Triggs does not disclose operating a network portal interface including, among other things, initiating construction of the network portal interface upon each instance that one of a plurality of user interface devices requests to access the network portal interface, as claimed by Applicant in amended independent claim 10. Instead, Triggs discloses provider computers (with servers), user computers, and a remote database. However, Triggs does not disclose a network portal interface, in addition to a dynamic service provider database and a user interface device, wherein a user interface device accesses the network portal interface, which stands between the user interface device and the dynamic service provider database. Therefore, Triggs is also silent about initiating constructing the network portal interface upon each instance that one or more user interface devices accesses the network portal interface.

Consequently, Triggs does not disclose the aspects of Applicant's claimed method of claim 10 in which the network portal (and/or network portal interface) is an active agent that interacts with the dynamic service provider database, in their own interest and/or on behalf of a user. In one aspect claimed by Applicant, the network portal submits type-of-service keywords displayed on the network portal interface from the network portal to the dynamic service provider database for matching with types of services offered by service providers listed in the dynamic service provider database. Triggs discloses providing subject headings in remote

Amendment and Response

Applicant: Craig R. White

Serial No.: 09/781,654

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

database 13 for association with the provider computers but does not disclose a separate network portal interface including its own display of type-of-service keywords, as claimed by Applicant.

In another aspect of amended independent claim 10, the network portal retrieves (not a user computer) from the dynamic service provider database a list of first service providers that match the type-of-service keywords displayed on the network portal interface. Triggs does not appear to disclose any such role for a network portal interface, as distinct from a user computer or provider computer.

In another aspect of amended independent claim 10, the network portal uses the list of keyword-matched first service providers from the dynamic service provider database to identify each keyword-matched first service provider that also matches a set of predetermined user profile criteria. Again, with no network portal acting as an active agent, Triggs fails to disclose such matching relative to a user profile criteria.

In another aspect of amended independent claim 10, the network portal implements construction of the network portal interface by displaying links on the network portal interface to each identified keyword-matched and user profile-matched first service provider of the dynamic service provider database, and makes the constructed network portal interface available to the user interface device via the network communication link. With only provider computer, user computers, and remote database 13, and no active network portal as claimed by Applicant, Triggs also fails to disclose these aspects of Applicant's claim of the network portal, as distinct from the dynamic service provider database, implementing construction of the network portal interface and making the constructed network portal interface available via the user interface devices, such as a web browser.

Newman fails to cure the deficiencies of Triggs regarding amended independent claim 10 as Newman relates to retrieving and paying for content data, goods and/or services while accumulating small fees incrementally related to the content data, goods and/or services for collection on a periodic basis (See Newman at Column 1, paragraph 2). Newman does not disclose, among other things, a network portal interface, user interface device, and dynamic service provider database which interact in the arrangement claimed by Applicant. Newman fails to disclose, among other things, Applicant's method including a dynamic service provider

Amendment and Response

Applicant: Craig R. White

Serial No.: 09/781,654

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

database whose member service providers self-elect their inclusion in the database independent of a network portal interface that is independent from the dynamic service provider database. In addition, Newman fails to disclose initiating and implementing construction of the network portal interface each time that a user interface accesses the network portal interface in which that construction includes accessing the independent dynamic service provider database.

Accordingly, one cannot combine Triggs and Newman to arrive at Applicant's claim 10.

For these reasons, Triggs and/or Newman fail to teach or suggest Applicant's independent claim 10. Accordingly, Applicant believes that claim 10 is patentable over Triggs and Newman. Claims 11-14 are also believed to be patentable over Triggs and Newman based on their dependency from patentably distinct independent claim 10.

Claims 25-26 depend from independent claim 23 and are believed to be allowable based on their dependency from amended independent claim 23, which is believed to be allowable for the reasons previously presented in favor of the patentability of claim 23 over Triggs. In addition, Newman fails to cure the deficiencies of Triggs regarding amended independent claim 23 as Newman is directed to accumulating and collecting fees related to retrieval of content data, goods, or services rather than a dynamic network portal system, as claimed by Applicant. Accordingly, one cannot combine Triggs and Newman and arrive at Applicant's claims 25-26.

In the Office Action, claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Triggs in view of Krishan U.S. Patent No. 6,442,529 (Krishan).

Claim 7 depends from independent claim 1 and is believed to be allowable based on their dependency from amended independent claim 1, which is believed to be allowable for the reasons previously presented in favor of the patentability of claim 1 over Triggs. In addition, Krishan fails to cure the deficiencies of Triggs regarding amended independent claim 1 as Krishan is directed to one manner of advertising over the internet rather than a method of constructing a network portal, as claimed by Applicant. Accordingly, one cannot combine Triggs and Krishan and arrive at Applicant's claim 7.

Amendment and Response

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

In the Office Action, claims 13 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Triggs and Newman as applied to claim 10 above, and further in view of Krishan.

Claims 13-14 depend from independent claim 10 and are believed to be allowable based on their dependency from amended independent claim 10, which is believed to be allowable for the reasons previously presented in favor of the patentability of claim 10 over Triggs. In addition, both Newman and Krishan fail to cure the deficiencies of Triggs regarding amended independent claim 10 as Newman is directed to accumulating and collecting fees related to retrieval of content data, goods, or services rather than a method of providing a network portal, and Krishan is directed to one manner of advertising over the internet rather than a method of providing a network portal, as claimed by Applicant. Accordingly, one cannot combine Triggs, Newman, and Krishan and arrive at Applicant's claims 13-14.

Applicant believes that claims 5 -7, 9-14, and 25-26 are patentable and allowable over Triggs, Krishan, and/or Newman and therefore, respectfully requests that the above rejection of claims 13-14 under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-3, 5-6, 10-15, 23, 25-26, and 35 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-3, 5-6, 10-15, 23, 25-26, and 35 is respectfully requested.

Amendment and Response

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Serial No.: 09/781,654

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Docket No.: 10003981-1 (H302.131.101)

Title: AGGREGATION OF SERVICES ON NETWORK PORTALS

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Paul S. Grunzweig at Telephone No. (612) 767-2504, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

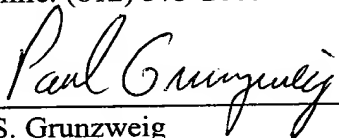
Respectfully submitted,

Craig R. White,

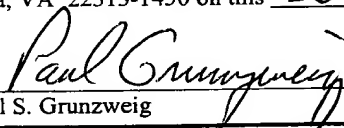
By his attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 767-2504
Facsimile: (612) 573-2005

Date: July 26, 2005
PSG: kle


Paul S. Grunzweig
Reg. No. 37,143

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 26 day of July, 2005.

By 
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